

Our Docket No: 42390P4624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rakesh Bhatia

Application No: 08/902,371

Filed: July 29, 1997

For: Apparatus for Cooling a Heat
Dissipating Device Located within
a Portable Computer

Examiner: Lea-Edmonds, L.

Art Unit: 2835

Confirmation: 1126

PETITION TO ISSUE GRANTED PATENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

Applicant respectfully requests the issuance of the granted patent in this proceeding.

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web prior to 11:59 PM on the date shown below.

/Michelle L. Evans/
Michelle L. Evans

7/16/09
Date

PETITION

Applicant hereby petitions for issuance of the patent that was granted in this proceeding.

History

The present application was filed on July 29, 1997. After a continued prosecution application was filed on June 14, 2000, the application was granted pursuant to a Notice of Allowance mailed on July 18, 2000. The issue fee was paid within the required period on October 10, 2000.

A Notice of Abandonment was mistakenly issued on July 28, 2000 as a result of a USPTO error. A petition requesting rescission of the Notice of Abandonment was filed, and the USPTO vacated the Notice of Abandonment pursuant to the order mailed on November 15, 2000, a copy of which included herewith as Exhibit A. In the order, the Petitions Examiner indicated that the application was being forwarded to the Office of Patent Publication to be processed into a patent.

However, Applicant has recently discovered that the Patent Office has not yet issued the granted patent.

Applicant thus hereby submits that the application has been granted and the issue fee properly paid, and thus petitions for issuance of the granted patent.

Applicant asserts that this Petition should not require a fee because it was the US PTO's error necessitating the petition, Applicant; however, requests that the petitions examiner charge any shortages to our Deposit Account Number 02-2666.

Request for an Extension of Time if Needed

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. §1.136(a) should one be needed. Please charge any fee to our Deposit Account No. 02-2666.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Date: July 16, 2009 /Mark C. Van Ness/
Mark C. Van Ness
Reg. No. 39,865

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(503) 439-8778

EXHIBIT A

Order Mailed November 15, 2000



UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of
RAKESHE BHATIA
Application No. 08/902,371
Filed: July 29, 1997
Attorney Docket No. 42390.P4624

NO DOCKETING REQUIRED

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ON PETITION

This is a decision on the petition under 37 CFR 1.182 filed August 22, 2000, requesting that the abandonment of the above-identified application be rescinded.

The petition is GRANTED.

A Notice of Abandonment was mailed on July 28, 2000, stating that the application was abandoned for failure to respond to the Notice of Allowance and Issue Fee Due mailed April 3, 2000. However, a review of the record discloses that a proper continued prosecution application (CPA) was filed prior to the July 3, 2000 due date for payment of the issue fee. Consequently, the prior application was not abandoned as a result of a failure to pay the issue fee.

The Notice of Abandonment mailed July 28, 2000, is hereby vacated. Since the petition was a result of PTO error, the \$130.00 petition fee is being refunded to counsel's deposit account.

Receipt is acknowledged of the issue fee paid on October 10, 2000 in response to the Notice of Allowance and Issue Fee Due mailed July 18, 2000 in the CPA filed June 14, 2000. Accordingly, the application is being forwarded to the Office of Patent Publication to be processed into a patent.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-9220.

Sherry D. Brinkley
Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

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